

### **REMARKS**

In the Office Action, the Examiner has rejected claims 1-9 under 35 U.S.C. 2<sup>nd</sup> paragraph as being indefinite. Claims 1-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combinations of Goodwin in view Ngai or the combination further in view of Urabe or Lucas.

Turning to the specific rejections, claim 1 was rejected as being vague and indefinite under 35 U.S.C. § 112 for including the language "by assuming" and not having proper antecedent references to "products". Claim 1 has been amended to overcome this rejection as a matter of form over substance and has amended the claim by properly utilizing the term such as "the" and "said" and defining the incoming product inventory management means as functioning by determining the products corresponding to the product identification date association.....

Claim 4 was also rejected for not utilizing proper reference to antecedent basis and has been amended to utilize terms such as "the" where appropriate.

Lastly, claim 6 was rejected for the use of the phrase "such that" which has now been amended to be more acceptable "so that" to affirmatively recite that the pre-shipment data creating means is constituted, or configured, to allow or enable a second medium provided on the product to be a passive type RFID as described. Applicants submit that the rejections under 35 U.S.C. § 112 has been obviated and respectfully request the withdrawal of these rejections.

Turning to the substantive rejections, claims 1, 2 and 5-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable under Goodwin in view of Ngai. Applicants respectfully traverse the rejection.

As for Claim 1, the Examiner asserted in the office action that "It would have been obvious to one having ordinary skill in the art at the time the invention was made to use Ngai's teachings (US 2005-0289083) in Goodwin's system (US 2002/0143635)

and method of managing inventory enabled, for the advantage of providing authentication and validation of supplies packaged in containers. (Ngai; paragraph 5)

However, Ngai's system merely discloses a feature that a package itself and each container in the package are authenticated separately by using an UID of a package radio frequency identification tag attached to the package itself and UIDs of a plurality of container radio frequency identification tags attached to each product packed in the package, i.e., the arrival of a product is always determined by using both UIDs of two kinds of tags attached to the container in the package and the package itself. (Ngai; paragraph 0034, 0035 and 0036).

Accordingly, a combination of Goodwin's system and the Ngai's system only leads to a simple technical idea that a management warehouse computer reads a package identification data, a product identification data and a product data to determine whether all of these data exist in a pre-shipment data that had been stored in the management warehouse computer, and determines that a product has arrived if these three kinds of data are all consistent with a pre-shipment data.

On the other hand, the current invention as defined in the amended Claim 1, has a distinct structure that "arrival of products" is determined only by utilizing the package identification data. As a result, the arrival of products by a package that includes one or more products as a minimum unit is confirmed by making the data on actually received incoming products comprise only the product identification data, containing no product data, separately from the advance shipment identification including the product data, and transmitting only the data on actually received incoming product as the arrival data to the backbone system that is installed in a management department. In contrast thereto, Goodwin's system and Ngai's techniques neither disclose nor teach such a distinct structure.

Further, the present invention can achieve a distinct action and effect different from Goodwin's system and Ngai's system. With the invention as claimed, the arrival of products are confirmed without directly checking the arrival of the respective

products packaged in the package one by one by using the product data or the product identification data. Confirmation is based only by the package identification data for identifying the package, and the arrival of the respective products is confirmed indirectly via the package identification data, which can simplify data management in the management warehouse computer.

The present invention achieves a distinct action and effect that can simplify data management as a whole system. For example, at the time of notifying the arrival of products to the backbone system installed in the management department, it can be recognized at once in the backbone system which product has arrived via the package identification data by transferring the data on actually received incoming products comprising only the package identification data containing no product data or product identification data, even if a large number of goods arrive in the management warehouse computer, without checking the products one by one, which would have not been obvious from Goodwin's system nor Ngai's system.

In light of the above, Applicants respectfully submit that neither Goodwin or Ngai taken either separately or together teach the novel features described above and respectfully request the withdrawal of the rejection under 35 U.S.C. § 103.

Claims 2 and 5-7 depend from claim 1 either directly or indirectly. By way of example, claim 2 further defines that the inventive use of the first medium allows for the first medium to be at least one of a barcode, to dimensional code and a contact free identification element. Claims 5-7 define the different types of medium to be used and the activity of the pre-shipment data creating means to create pre-shipment data by association to distinct types of data prior to shipment. None of this is taught or suggested by the proposed combination of prior art references and accordingly, Applicants respectfully submit that claims 2 and 5-7 are allowable as defining patentable combinations in their own right as well as depending from allowable claim 1 and respectfully request the withdrawal of the rejection under 35 U.S.C. § 103.

Claim 3, 8 and 9 are rejected under 35 U.S.C. § 103 as being unpatentable over Goodwin in view of Ngai and further in view of Urabe. Applicants respectfully traverse the rejection.

Claim 3 further defines the incoming product inventory management means and its use of position identification data to identify data identifying positions of the packages as stored. Claim 8 defines the product management system as including a host of sensors corresponding to the respective process that is in the production line or to allow the use of work completion data indicating the completion of work to be written in a second medium at each processed step. These are further features flowing from the inventive concept defined in claims 1 and 5 respectively, not taught by the prior art.

Nothing in Urabe overcomes the shortcomings of either Goodwin or Ngai. Urabe is silent as to confirming the arrival of products by a package utilizing only the product identification data containing no product data, separately from the advance shipment identification including the product data, and transmitting only the data on the actually received incoming product to a back bone system. Accordingly, Applicants submit that claim 3 and 8 are allowable over the prior art and respectfully request the withdrawal of the rejection over 35 U.S.C. § 103.

Claim 4 is rejected as being unpatentable over Goodwin in view of Ngai and further in view of Lucas. Applicants respectfully traverse the rejection.

Lucas is broadly directed to an inventory control system; however, it too, does not overcome the shortcomings of Goodwin and Ngai discussed above. There is no teaching of the use of the confirmation based solely on the packaged identification data. In contrast, claim 4 does include these limitations as it depends from claim 1 and further defines a new and inventive operation of the reader device which outputs operator identification data for identifying read operators as identification data are stored beforehand to set incoming product, inventory management means to make use of operator identification data. In light of the above, Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. § 103.

As discussed above, the present invention is believed to have clearly distinct structural differences from all the references, i.e. Goodwin, Ngai, Urabe and Lucas, cited in the Office Action, as well as achieving a distinct action and effect which would have not been obvious from all the references. Thus, the applicant also believes that the present invention is patentable in view of any combination of the cited prior arts of Goodwin, Ngai, Urabe and Lucas and that the Examiner's rejection would be overcome.

Support for the amendments is found in the specification. Claim 1 has been amended to recite that "wherein said incoming product inventory management means determines whether said products have certainly arrived using said package identification data only, thereby checking arrival of said products in a manner that a plurality of the products are brought together to be packed into a package as a minimum unit ...". Support for this limitation is found in paragraphs 20, 80, 81 and 82 in the description. Another newly defined limitation in claim 1, "allowing said product data to exist in said pre-shipment data separately from said data on actually received incoming products ...", finds support in paragraph 20 in the description. Lastly, the amended claim 1 now recites that "transmitting only said data on the actually received incoming products as the arrival data to a backbone system that is installed in a management department" finds support in paragraphs 62 and 70 and Fig. 3 in the description as filed.

Applicants respectfully submit that the application has been placed in condition for allowance. If the Examiner is unable to issue an immediate Notice of

Allowance, he is respectfully requested to telephone the undersigned attorney with a view towards discussing the outstanding issues.

Dated: May 27, 2008

Respectfully submitted,

By /Howard M. Gitten/

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